

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

THE DEADLINE FOR FILING A TIMELY RESPONSE IS: September 2, 2021
IF A RESPONSE IS TIMELY FILED, THE HEARING WILL BE: September 8, 2021 at 8:30 a.m. in Courtroom 1, 2nd Floor Customs House, 701 Broadway, Nashville, Tennessee 37203

TRUSTEE'S OBJECTION TO DEBTOR'S APPLICATION TO MODIFY PLAN

Henry E. Hildebrand, III, Standing Trustee for Chapter 13 matters in the Middle District of Tennessee, respectfully objects to the debtor's Application to Modify the Plan to surrender an automobile, paid through the plan, but reduce payments to the Trustee to \$0.00. No justification for this reduction in payments has been provided.

When the case was confirmed, the debtor proposed to maintain payments to the Trustee for a period of sixty (60) months. The debtor has been in this bankruptcy case for less than four (4) years. Nonetheless, the debtor is seeking to stop making payments to the Trustee, depriving unsecured creditors of the debtor's available income for a five (5) year period. The verified dual-entry budget clearly demonstrates that the debtor has the capacity to continue funding the plan. The budget also discloses to creditors that the plan duration would last for five (5) years.

The debtor has failed to explain the 401(k) loan increase of approximately \$180 per month.

The Trustee submits that the debtor has failed to demonstrate any reason or justification for the modification requested.

Respectfully submitted,

/s/ Henry E. Hildebrand, III

Henry E. Hildebrand, III
Chapter 13 Trustee
P. O. Box 340019
Nashville, TN 37203-0019
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CERTIFICATE OF SERVICE

I, the undersigned, hereby certifies that on or before the 18th day of August, 2021, a true and correct copy of the foregoing has been served in the following manner:

Email by Electronic Case Noticing to:

U. S. Trustee
Clark & Washington, Counsel for Debtor

By U. S. Postal Service, postage prepaid to:

Erica L. Anderson, 1510 Huntington Drive, Apt. B-1, Murfreesboro, TN 37130

/s/ Henry E. Hildebrand, III

Henry E. Hildebrand, III
Chapter 13 Trustee